

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

**Miscellaneous Application No.16/2025**

**IN**

**Original Application No. 394/2024**

Er. Shivcharanjit Singh

.....Applicant

Versus

State of Punjab

.....Respondent

**SHORT REPLY TO THE CASE AND SHOW CAUSE NOTICE BY WAY  
OF AFFIDAVIT ON BEHALF OF THE RESPONDENT**



**SIDDHANT SHARMA**

**Advocate for Respondent**

E-12 (BASEMENT) Green Park Extension  
New Delhi, 110016

Email :-siddhantsharma.adv@gmail.com

Mob-9871135009

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

Miscellaneous Application No.16/2025  
IN  
Original Application No. 394/2024

Er. Shivcharanjit Singh .....Applicant  
Versus  
State of Punjab .....Respondent

**INDEX**

<b>S NO.</b>	<b>PARTICULARS</b>	<b>PAGE NO.</b>
1.	<b>SHORT REPLY TO THE CASE AND SHOW CAUSE NOTICE BY WAY OF AFFIDAVIT ON BEHALF OF THE RESPONDENT</b>	1-6



**SIDDHANT SHARMA**  
**Advocate for Respondent**  
E-12 (BASEMENT) Green Park Extension  
New Delhi, 110016  
Email :-siddhantsharma.adv@gmail.com  
Mob-9871135009

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

Miscellaneous Application No.16/2025

IN

Original Application No. 394/2024

Er. Shivcharanjit Singh

Applicant

Versus

State of Punjab

Respondent

Short reply to the case and show cause notice by way of affidavit of Priyank Bharti, Secretary to Government of Punjab, Department of Science, Technology and Environment in compliance of order dated 10.02.2025 and 30.04.2025.

I, the above-named deponent, do hereby solemnly affirm and state as under:

Respectfully showeth

- 1) That briefly stated, the Hon'ble National Green Tribunal in exercise of suo moto powers has taken cognizance of a letter petition dated 29.09.2023 sent by Er. Shivcharanjit Singh resident of Type-6, Power Colony, GHTP, Lehra Mohabbat, District Bathinda about unauthorized construction in greenbelt area of residential colony Omaxe City, Bathinda and registered the case in Original Application No. 394 of 2024 titled as Er. Shivcharanjit Singh Vs. State of Punjab.
- 2) That the case was disposed of by the Hon'ble Tribunal vide Order dated 02.07.2024 and a Joint Committee comprising of Deputy Commissioner,

*Amrik Singh*  
29.5.2025

19 JUN 2025



Bathinda; Divisional Forest Officer, Bathinda; State Pollution Control Board and representative of Bathinda Development Authority, Bathinda was constituted to submit report in the case. Pursuant there to report dated 24.09.2024 has been filed by the Joint Committee through Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda.

- 3) That after consideration of the report of the Joint Committee, the Hon'ble Tribunal was pleased to pass an Order dated 10.02.2025 thereby impleading the State of Punjab through Secretary, Department of Science, Technology and Environment; Commissioner, Municipal Corporation, Bathinda; District Magistrate, Bathinda; Chief Administrator, Bathinda Development Authority; District Town Planner, Bathinda; Punjab State Pollution Control Board and M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Goniana Road, Bathinda as respondents in the case with direction to file reply in the case. The present reply is being filed by the deponent i.e., Secretary to Government of Punjab, Department of Science, Technology and Environment in compliance to order dated 10.02.2025 and 30.04.2025.
- 4) That in view of the fact that reply has not been filed by respondent no.1, 3 and 4, this Hon'ble Tribunal vide order dated 30.04.2025 has issued show cause notice to respondent no.1 State of Punjab through Secretary, Department of Science, Technology and Environment, Respondent No. 3- District Magistrate, Bathinda and Respondent no. 4-Chief Administrator, Bathinda Development Authority as to why they be not prosecuted for non-compliance of the order passed by this Tribunal and as to why they be not arrested and detained in civil prison till due execution of the order passed by this Tribunal.
- 5) That respectfully, it is submitted that the State of Punjab through Secretary, Department of Science, Technology and Environment has only been impleaded as proforma respondent in the case whereas the main contesting parties in the case are the District Magistrate, Bathinda, Chief

*Amrik Singh*  
29.05.2025

19 JUN 2025

AI  
C. M.  
arth  
0.35  
ry on  
-203  
FI

Administrator, Bathinda Development Authority and the project proponent namely M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Goniana Road, Bathinda. The non-filing of reply by respondent no.1 i.e. Secretary to Government of Punjab, Department of Science, Technology and Environment is not intentional in any manner as respondent no.1 was only a proforma respondent. The deponent Secretary to Government of Punjab, Department of Science, Technology and Environment has highest regard for this Hon'ble Tribunal and the Judiciary and cannot even think of disobeying the orders or directions of this Hon'ble Tribunal. The deponent in his capacity as Secretary to Government of Punjab, Department of Science, Technology and Environment hereby tenders unconditional apology for inconvenience caused to this Hon'ble Tribunal due to non-filing of reply by respondent no.1. The relevant facts which are required to be brought to the notice of this Hon'ble Tribunal may kindly be read in the following paragraphs.

- 6) That it is pertinent to mention here that the Punjab Pollution Control Board is the prescribed statutory authority to implement the provisions of the Environmental Laws namely the Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981; the Environment (Protection) Act, 1986 and the rules made there under in the State of Punjab. The Punjab Pollution Control Board is working under the administrative control of the Government of Punjab, Department of Science, Technology and Environment.
- 7) That the information gathered from the Punjab Pollution Control Board has revealed that the Punjab Pollution Control Board has also been impleaded as party respondent in the above-mentioned case. The Punjab Pollution Control Board has extended an opportunity of hearing to the project proponent namely M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Goniana Road, Bathinda before the Chairman of the Board.



Amrik Singh -  
29.05.2025

19 JUN 2025

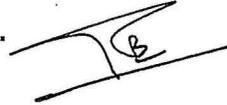
- 8) That the hearing before the Chairman of the Board on 25.04.2025 was attended by the representative of M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Bathinda, who submitted a written reply stating that the promoter company has installed STP @ 1300 KLD based on SBR Technology of which one module of 650 KLD is operated. The wastewater generated by the project is 108-118 KLD. Regarding encroachment of parks a written complaint to BDA, Police department and District Administration, Bathinda has already been submitted. A request has been submitted to BDA, Bathinda to issue revised lay out plan with demarcation of Gurudwara and Mandir in green belts in the colony, where it has been developed.
- 9) That after hearing the representative of the project proponent namely M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Bathinda and considering the relevant record, the competent authority of the Board has taken certain decisions in the case which were conveyed to the project proponent by the Board vide letter no. 1360 dated 25.04.2025 for compliance. The relevant decisions taken by the Board are reproduced below:

A. Directions u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 have been issued to the concerned departments for not releasing the electricity connections, not to register sale deeds and to cancel the license of the project proponent for which expansion has been undertaken without permission of the Board.

B. The project proponent shall deposit environmental compensation amounting to Rs. 25.0 lacs as interim Environmental Compensation, within 7 working days with the Regional Office, Bathinda of the Board for failure to obtain consents to operate of the Board under Water Act, 1974 and Air Act, 1981 and due to expansion carried out in land area of 13.072 acres for which expansion undertaken by the project proponent without prior permission of the Board.

Amrik Singh  
29.05.2025

19 JUN 2025



U  
P  
T  
R  
E  
A  
R  
Y

C. The Bathinda Development Authority (BDA), Bathinda be directed to take action against the project proponent / colonizer regarding illegal encroachment / construction carried out in the residential colony as per their respective law / rules.

D. The project proponent shall submit revised approved layout plan from Bathinda Development Authority (BDA), Bathinda mentioning the revised green belt / new construction activity, if any, within 15 days.

- 10) That the reply filed by the Punjab Pollution Control Board has been examined and it is decided to adopt the reply of the Board by respondent no. 1 i.e. Secretary to Government of Punjab, Department of Science, Technology and Environment.
- 11) That in view of the submissions made herein above, it is respectfully prayed that the show cause notice issued to the Secretary to Government of Punjab, Department of Science, Technology and Environment (respondent no.1) may kindly be filed.
- 12) That the deponent may kindly be allowed to adopt the reply of the Punjab Pollution Control Board on behalf of respondent no. 1. The short reply of respondent no. 1 is hereby submitted in compliance to order dated 10.02.2025 and 30.04.2025 for kind consideration and appropriate orders of this Hon'ble Tribunal.

Date: 19/6/2025  
Place: Chandigarh

  
Deponent

(Priyank Bharti)  
Secretary to Government of Punjab,  
Department of Science, Technology and  
Environment.  
(Respondent no.1)  
Secretary to Govt. of Punjab  
Deptt. of Science, Technology & Environment  
Chandigarh

Amrik Singh -  
29.05.2025



19 JUN 2025

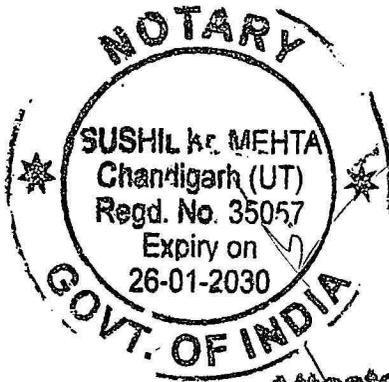
Verification:

Verified that the contents of paragraphs 01 to 10 of the above affidavit are true and correct to my knowledge as derived from the official record. Paras No.11 and 12 are prayer. No part of the above affidavit is false and nothing material has been kept concealed or suppressed therein.

Date: 19/6/2025  
Place: Chandigarh

Deponent  
(Priyank Bharti)  
Secretary to Government of Punjab,  
Department of Science, Technology and  
Environment.  
(Respondent no.1)  
Secretary to Govt. of Punjab  
Deptt. of Science, Technology & Environment  
Chandigarh

Amrik Singh -  
29.05.2025



Attested

SUSHIL Kr. MEHTA  
Notary Chandigarh (UT)

19 JUN 2025

